

ESTTA Tracking number: **ESTTA261262**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91173105
Party	Defendant Michael Dalton
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Submission	Opposition/Response to Motion
Filer's Name	Michael Dalton
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Signature	/Michael Dalton/
Date	01/19/2009
Attachments	OppositiontoStipulation.pdf (2 pages)(123987 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Honda Motor Co. LTD	:	
	:	
Opposer	:	
	:	
vs.	:	Opposition No. 91173105
	:	
Michael Dalton	:	
	:	
Applicant	:	

**OPPOSITION TO PLAINTIFF'S STIPULATED MOTION
TO EXTEND TIME FOR TESTIMONY PERIOD**

Now comes, Michael Dalton, Defendant – Applicant, pursuant to Trademark Rule 37 CFR 2.121(d) and Fed. R. Civ. P. 6(b), and does hereby move the Board to dismiss Plaintiff's Motion to Extend the testimony period, by stipulation, of the Applicant for the following reasons:

The Plaintiff's motion as stands was not consented.

Defendant / Applicant did agree that the applicants period could be extended to accommodate Opposor's trial schedule, however, the Opposor's / Plaintiff's testimony period has ended and Defendant / Applicant did not agree to reopen or extend that period.

Additionally, Applicant only agreed to extend it's own testimony period for thirty days ending 03/26/09 with the resetting of rebuttal accordingly.

Therefore, the Plaintiff's / Opposor's stipulated motion should be denied or amended to reset the testimony periods, as follows:

Testimony Period for Party in Position of Plaintiff to Close (Opening thirty days prior thereto)	10/27/2008
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Testimony Period for Party in Position of Defendant to Close
(Opening thirty days prior thereto) 03/26/2009

Rebuttal Testimony Period to Close
(opening fifteen days prior thereto) 05/09/2009

Therefore:

Respectfully submitted,



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Certificate of Service

I, Michael Dalton, hereby certify that this Opposition to Stipulated Motion for Time Extension has been served by electronic email upon Opposor's council Dyan Finguerra-DuCharme , Dyan.Finguerra-DuCharme@wilmerhale.com ; and standard U.S. mail upon Dyan Finguerra-DuCharme at Wilmer Cutler Pickering Hale and Dorr LLP, 399 Park Ave, New York, NY 10022 this 18st day of January 2009.



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